

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TERENCE ANTHONY MACKSON,

Defendant-Appellant.

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UNPUBLISHED

May 11, 1999

No. 202021

Washtenaw Circuit Court

LC No. 93-001695 FH

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TERENCE ANTHONY MACKSON,

Defendant-Appellant.

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No. 202022

Washtenaw Circuit Court

LC No. 94-002994 FH

Before: Gage, P.J., and Gribbs and Hoekstra, JJ.

MEMORANDUM.

Defendant appeals by right his sentences for possession of less than 25 grams of heroin, MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v), and first-degree retail fraud, second offense, MCL 750.356(c); MSA 28.588(3), entered after defendant pleaded guilty to violating probation. We affirm.

On appeal, defendant argues that his one to four-year sentence for possession of heroin, and his one to three-year sentence for retail fraud are disproportionate. There is no merit to this argument. Under *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990), the key test of proportionality is whether the sentence reflects the seriousness of the matter. *People v Lemons*, 454 Mich 234, 260; 562 NW2d 447 (1997). Along with the instant crimes, defendant was also found guilty of a number of other offenses, causing the trial court to observe that defendant was a

“one-man crime spree.” Given defendant’s long criminal history, there is no showing that his sentences in these cases were disproportionate.

Affirmed.

/s/ Hilda R. Gage  
/s/ Roman S. Gibbs  
/s/ Joel P. Hoekstra